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PTO/SB/01A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention

PORPHYRINS WITH VIRUCIDAL ACTIVITY

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐

The attached application, or

☒

Application No. 10/500,884, filed on July 7, 2004,

☐

as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Richard W. Compans

Signature: *Richard W. Compans* Citizen of: US

Inventor two: Luigi G. Marzilli

Signature: *Luigi G. Marzilli* Citizen of: US

Inventor three: Amy E. Sears

Signature: *Amy E. Sears* Citizen of: US

Inventor four: Dabney W. Dixon

Signature: *Dabney W. Dixon* Citizen of: US

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EU 01083 - 077113/00006

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/500,884
Filing Date	July 7, 2004
First Named Inventor	Richard W. Compans
Title	PORPHYRINS WITH VIRUCIDAL ACTIVITY
Art Unit	
Examiner Name	
Attorney Docket Number	EU 01038

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23579

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

23579

OR

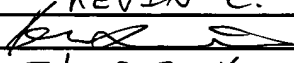
<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City		State		Zip
Country				
Telephone		Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

Name	KEVIN C. LEI			On behalf of Emory University
Signature				
Date	July 13, 2004	Telephone	404-727-7241	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of two (2) forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EU 01038 - 077113/00006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/500,884
Filing Date	July 7, 2004
First Named Inventor	Richard W. Compans
Title	PORPHYRINS WITH VIRUCIDAL ACTIVITY
Art Unit	
Examiner Name	
Attorney Docket Number	EU 01038

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23579

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

23579

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City	State	Zip		
Country				
Telephone	Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	Albertha W. Barrett			On behalf of Georgia State University Research Foundation, Inc.
Signature	<i>Albertha W. Barrett</i>			
Date	7/12/04	Telephone	(404) 651-4350	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of two (2) forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EU 01038 - 077113/00006

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Richard W. Compans, Luigi G. Marzilli, Amy E. Sears, and Dabney W. Dixon

Application No./Patent No.: 10/500,884 Filed/Issue Date: July 7, 2004

Entitled: Porphyrins With Virucidal Activity

Georgia State University Research Foundation, Inc., a corporation of the State of Georgia  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of an undivided joint interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012648, Frame 0085, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7/12/04  
Date  
(404) 651-4350  
Telephone number

Albertha W. Barrett  
Typed or printed name  
Albertha W. Barrett  
Signature  
Director, Research & Awards Administration  
Title

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Richard W. Compans, Luigi G. Marzilli, Amy E. Sears, and Dabney W. Dixon

Application No./Patent No.: 10/500,884 Filed/Issue Date: July 7, 2004

Entitled: Porphyryns With Virucidal Activity

Emory University, a corporation of the State of Georgia  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of an undivided joint interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012648, Frame 0092, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 13, 2004  
Date  
404-727-7241  
Telephone number

Kevin C. Lei  
Typed or printed name  
[Signature]  
Signature  
\_\_\_\_\_  
Title

**KEVIN C. LEI**  
**ASSISTANT DIRECTOR**  
**OFFICE OF TECHNOLOGY TRANSFER**

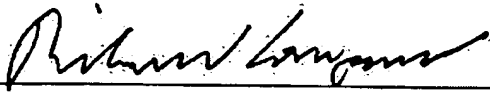
## ASSIGNMENT

We, Richard W. Compans of 1308 Castle Falls Drive, Atlanta, Georgia 30329, Luigi G. Marzilli of 2221 Randolph Court, Atlanta, Georgia 30345, and Amy E. Sears of 1301 Willivee Drive, Decatur, Georgia 30033, in consideration of ten dollars and other valuable consideration paid to us by Emory University, a corporation of the State of Georgia, having its principal place of business at 1380 South Oxford Road, N.E., Atlanta, Georgia 30322, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Emory University, its successors and assigns, our undivided joint interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Porphyrins with Virucidal Activity*" described in U.S. Provisional Application Serial No. 60/347,197 filed in the United States Patent and Trademark Office on January 8, 2002, by Richard W. Compans, Luigi G. Marzilli, Amy E. Sears, and Dabney W. Dixon, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation, and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

Title: "Porphyrins with Virucidal Activity"  
By: Richard W. Compans, Luigi G. Marzilli,  
Amy E. Sears, and Dabney W. Dixon  
Filed: January 8, 2002  
ASSIGNMENT

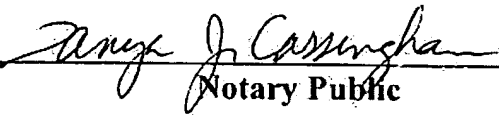
And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 28<sup>th</sup> day of January, 2002.

  
Richard W. Compans

State of Georgia )  
County of DeKalb )

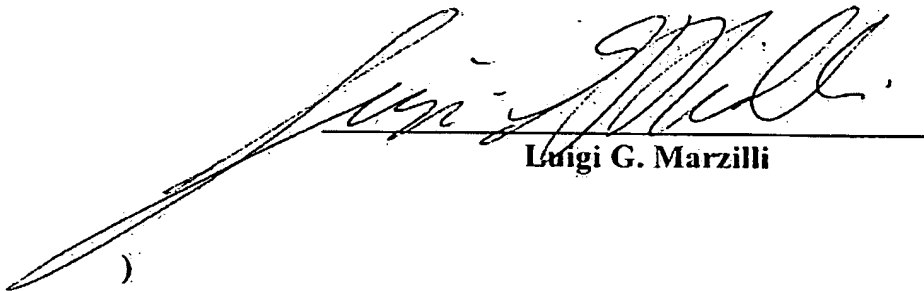
Then personally appeared the above named Richard W. Compans and acknowledged the foregoing instrument to be his free act and deed, before me this 28<sup>th</sup> day of January, 2002.

Tanya J. Cassingham   
Notary Public  
Commission Expires  
14 May, 2005  
Notary Public

My Commission expires: \_\_\_\_\_

Title: "Porphyrim with Virucidal Activity"  
By: Richard W. Compans, Luigi G. Marzilli,  
Amy E. Sears, and Dabney W. Dixon  
Filed: January 8, 2002  
ASSIGNMENT

WITNESS my hand and seal this 4th day of February, 2002.



Luigi G. Marzilli

State of Georgia )

County of DeKalb )

Then personally appeared the above named Luigi G. Marzilli and acknowledged the foregoing instrument to be his free act and deed, before me this 4th day of February, 2002.

Tanya J. Cassingham  
Notary Public  
Commission Expires  
14 May, 2005

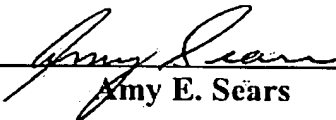
  
Notary Public

My Commission expires: \_\_\_\_\_



Title: "Porphyrins with Virucidal Activity"  
By: Richard W. Compans, Luigi G. Marzilli,  
Amy E. Sears, and Dabney W. Dixon  
Filed: January 8, 2002  
ASSIGNMENT

WITNESS my hand and seal this 4 day of February, 2002.

  
\_\_\_\_\_  
Amy E. Sears

State of Georgia )  
County of DeKalb )

Then personally appeared the above named Amy E. Sears and acknowledged the foregoing instrument to be her free act and deed, before me this 4<sup>th</sup> day of February, 2002.

Tanya J. Cassingham  
Notary Public  
Commission Expires  
14 May, 2005

  
\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

ATL1 #502465 v1

## ASSIGNMENT

I, Dabney W. Dixon of 808 Yorkshire Road, N.E., Atlanta, Georgia 30306, in consideration of ten dollars and other valuable consideration paid to me by Georgia State University Research Foundation, Inc., a corporation of the State of Georgia, having its principal place of business at Georgia State University, University Plaza, Atlanta, Georgia 30303, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Georgia State University Research Foundation, Inc., its successors and assigns, my undivided joint interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Porphyrins with Virucidal Activity*" described in U.S. Provisional Application Serial No. 60/347,197 filed in the United States Patent and Trademark Office on January 8, 2002, by Richard W. Compans, Luigi G. Marzilli, Amy E. Sears, and Dabney W. Dixon, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And I agree, for myself and my executor and administrator, with said corporation and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation, and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And I do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

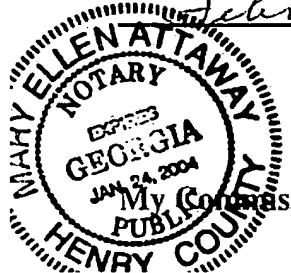
WITNESS my hand and seal this 6<sup>th</sup> day of February, 2002.

Dabney W. Dixon  
Dabney W. Dixon

State of Georgia )

County of Henry )

Then personally appeared the above named Dabney W. Dixon and acknowledged the foregoing instrument to be his free act and deed, before me this 6<sup>th</sup> day of February, 2002.



Mary Ellen Attaway  
Notary Public

My Commission expires: Jan 24, 2004